

**AN ORDINANCE BY
COUNCIL MEMBER MARY NORWOOD
AS AMENDED BY COMMUNITY DEVELOPMENT
& HUMAN RESOURCES COMMITTEE**

03-○ -1442

**AN ORDINANCE INCREASING THE MINIMUM FINES
IMPOSED FOR VIOLATIONS OF THE CITY OF ATLANTA
HOUSING CODE, IMPOSING A RE-INSPECTION FEE FOR
REPEAT INSPECTIONS OF PROPERTIES DEEMED IN
VIOLATION OF THE HOUSING CODE, AND FOR OTHER
PURPOSES.**

WHEREAS, the City of Atlanta Housing Code establishes minimum fines to be imposed by the Municipal Court upon their finding of a violation of the provisions of the Housing Code, and

WHEREAS, the current minimum fines do not provide adequate financial incentive to property owners to remedy violations of the Housing Code, and

WHEREAS, structures that are in violation of the provisions of the Housing Code constitute a threat to public health and safety,

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS
AS FOLLOWS:**

Section 1: That Appendix E, Article I, Section 18(d) of the City of Atlanta Code of Ordinances be amended to read as follows:

(d) *Penalties.* Failure to comply with any provision of this Code shall constitute an offense and shall be punishable as follows:

- (1) Each separate violation of this Code shall be punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1000.00) or imprisonment for not more than sixty (60) days or both.
- (2) A second conviction for violation of this Code shall be punishable by a fine of not less than Three Hundred and Fifty Dollars (\$350.00) nor more than One Thousand Dollars (\$1000.00) or imprisonment for not more than sixty (60) days or both.
- (3) A third or subsequent conviction for violation of this Code shall be punishable by a fine of **One Thousand Dollars (\$1,000.00)** or imprisonment for not more than sixty (60) days or both.
- (4) The Municipal Court shall levy a fee of **One Hundred Dollars (\$100.00)** for each re-inspection by City Housing Inspectors of properties found in violation of this Code where, after the re-inspection, the property continues to be in non-compliance.
- (5) Where a person shall be convicted of more than one (1) offense and sentenced to imprisonment, such sentences shall be served



concurrently; provided, however, that the judge may, at his or her discretion, direct that these sentences run severally if said sentence would not exceed one hundred and eighty (180) days.

- (6) Any or all of the penalties prescribed in this Subsection may be imposed upon the appropriate officers or partners of a corporation, partnership or other legal entity that acts unlawfully pursuant to Section 17(a).

Section 2: That Section 8-2094(c) (1) through (5) of the Commercial and Industrial Code are hereby amended to read as follows:

- (1) Upon first conviction, each separate violation of this code shall be punishable A fine of not less than \$500.00 nor more than \$1000.00 or imprisonment for not more than 60 days or both.
- (2) A second conviction for violation of this code shall be punishable by a fine of not less than \$750.00 per separate offense nor more than \$1000.00 or imprisonment for not more than 60 days or both.
- (3) A third conviction and any conviction thereafter of this code shall be punishable by a fine of \$1000.00 per separate offense nor more than 60 days or both.
- (4) Where a person shall be convicted of more than one offense and sentenced to imprisonment, said sentences shall be served concurrently; provided however, the judge may in his/her discretion, direct that these sentences run severally if said sentence would not exceed 180 days.
- (5) Any or all penalties prescribed in this subsection may be imposed upon the appropriate officers or partners of a corporation, partnership or other legal entity for the failure to comply with any provision of this code.

Section 3: That this Ordinance shall become effective _____.

Section 4: That all Ordinances, or parts of Ordinances, in conflict herewith are repealed.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

OCT 06, 2003
OCT 14, 2003

RCS# 5041
10/06/03
2:05 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-14

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	B Boazman	NV Woolard

CONSENT I

		10-06-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1475	37. 03-R-1521	71. 03-R-1555
2. 03-O-1471	38. 03-R-1522	72. 03-R-1556
3. 03-O-1438	39. 03-R-1523	73. 03-R-1557
4. 03-O-1442	40. 03-R-1524	74. 03-R-1558
5. 03-O-1452	41. 03-R-1525	75. 03-R-1559
6. 03-O-1380	42. 03-R-1526	76. 03-R-1560
7. 03-O-1478	43. 03-R-1527	77. 03-R-1561
8. 03-O-1479	44. 03-R-1528	78. 03-R-1562
9. 03-O-0953	45. 03-R-1529	79. 03-R-1563
10. 03-O-1455	46. 03-R-1530	80. 03-R-1564
11. 03-O-1476	47. 03-R-1531	81. 03-R-1565
12. 03-O-1481	48. 03-R-1532	82. 03-R-1566
13. 03-R-1498	49. 03-R-1533	83. 03-R-1567
14. 03-R-1499	50. 03-R-1534	84. 03-R-1568
15. 03-R-1582	51. 03-R-1535	85. 03-R-1569
16. 03-R-1583	52. 03-R-1536	86. 03-R-1570
17. 03-R-1502	53. 03-R-1537	87. 03-R-1571
18. 03-R-1503	54. 03-R-1538	88. 03-R-1572
19. 03-R-1505	55. 03-R-1539	89. 03-R-1573
20. 03-R-1506	56. 03-R-1540	90. 03-R-1574
21. 03-R-1507	57. 03-R-1541	91. 03-R-1575
22. 03-R-1488	58. 03-R-1542	92. 03-R-1576
23. 03-R-1489	59. 03-R-1543	93. 03-R-1577
24. 03-R-1490	60. 03-R-1544	94. 03-R-1578
25. 03-R-1491	61. 03-R-1545	
26. 03-R-1492	62. 03-R-1546	
27. 03-R-1495	63. 03-R-1547	
28. 03-R-1513	64. 03-R-1548	
29. 03-R-1514	65. 03-R-1549	
30. 03-R-1515	66. 03-R-1550	
31. 03-R-1516	67. 03-R-1551	
32. 03-R-1517	68. 03-R-1552	
33. 03-R-1518	69. 03-R-1553	
34. 03-R-1519	70. 03-R-1554	
35. 03-R-1520		
36. 03-R-1579		

Consent I Vote: 13 Yeas; 0Nays: (See RCS #5041)

03-0 -1442

(Do Not Write Above This Line)

AN ORDINANCE

BY

Walter Norwood

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CODE, IMPOSING A RE-INSPECTION
FEE FOR REPEAT INSPECTIONS
OF PROPERTIES DEEMED IN
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PURPOSES.

ADOPTED BY

OCT 06 2003

COUNCIL

As Amended

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred

09/02/03

Referred To:

CD/H/R

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred to

Committee

CD/H/R

Date

9/9/03

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

as amended

Members

on 1st reading

Refer To

Committee

CD/H/R

Date

9/30/03

Chair

William D. Thomas

Action:

Fav, Adv, Hold (see rev. side)

Other:

as amended

Members

William D. Thomas

Refer To

FINAL COUNCIL ACTION

- ☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

CERTIFIED

OCT 06 2003

ATLANTA CITY COUNCIL PRESIDENT

Catherine W. Woodard

CERTIFIED

OCT 06 2003

Rhonda D. Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Andrew J. Taylor

OCT 14 2003

MAYOR